

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD WESLEY BRYAN,

Petitioner,

v.

PATRICK GLEBE,

Respondent.

CASE NO. 3:16-CV-05092-RBL-JRC

ORDER TO FILE AN AMENDED
PETITION

The District Court referred this petition for a writ of habeas corpus to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b) (1) (A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state conviction pursuant to 28 U.S.C. § 2254.

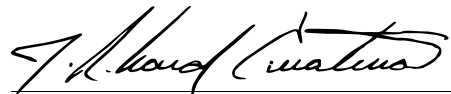
Petitioner Richard Wesley Bryan, proceeding *pro se*, submitted a 28 U.S.C. § 2254 habeas corpus petition. Dkt. 4. In his petition, petitioner does not specifically state what conviction he is challenging nor does he give the date of his conviction. Dkt. 4. The Court then ordered petitioner to show cause and clarify what conviction he was challenging and why his petition was not successive. Dkt. 5. In response, petitioner argues that his petition is not successive, but does not clarify what state court conviction he is challenging, nor does he give

1 the date of his conviction. Dkt. 6. Petitioner is ordered to file an amended petition, clearly
2 stating the state court conviction he wishes to challenge in his federal habeas petition. This
3 information will enable the Court to obtain the full state court record for the conviction that
4 petitioner is challenging. Without this information, the Court is not able to determine whether
5 federal habeas corpus relief is appropriate.

6 Petitioner should clarify in his amended petition the name and location of the court that
7 entered the judgment of conviction which he seeks to dispute. For example, if petitioner is
8 challenging his March 6, 2013 conviction, on page one of his petition, he would indicate the
9 criminal docket number as: 87830-7. *See Bryan v. Glebe*, 13-cv-5828-BHS/KLS, Docket 4.

10 Any amended petition must be filed on the form employed by this court, must name the
11 proper respondent, and must state all claims and prayers for relief on the form. It must bear the
12 case number assigned to this action and must bear the title "Amended Petition." Petitioner's
13 pleading must be filed on or before April 15, 2016 or the Court will recommend dismissal of this
14 petition for failure to prosecute and failure to comply with a Court order.

15 Dated this 18th day of March, 2016.

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18 J. Richard Creatura
19 United States Magistrate Judge
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